



PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Koh Kimura, et al.

**Examiner:** Unassigned

**Serial No:** 09/975,490

**Art Unit:** 3739

**Filed:** October 11, 2001

**Docket:** 14991

**For:** PHYSIOLOGICAL TISSUE CLIPPING  
APPARATUS, CLIPPING METHOD  
AND CLIP UNIT MOUNTING METHOD

**Dated:** August 14, 2002

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AUG 23 2002

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

TECHNOLOGY CENTER R3700

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. German Patent Application No. DE 197 40 847 C1, dated August 12, 1999;
2. German Patent Application No. DE 195 34 320 C1, dated February 27, 1997;
3. German Patent Application No. DE 100 11 292 A1, dated September 14, 2000;
4. German Patent Application No. DE 693 19 704 T2, dated March 11, 1999;

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on August 14, 2002.

Dated: August 14, 2002

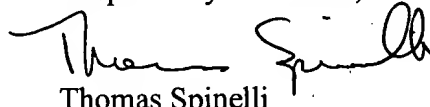
  
Mishelle Mustafa

5. German Patent Application No. DE 197 07 382 A1, dated September 4, 1997;
6. German Patent Application No. 24 54 371, dated June 19, 1975;
7. Japanese Patent Application Publication No. 5-212043, dated August 24, 1993;
8. Japanese Patent Application Publication No. 4-102450, dated April 3, 1992;
9. Japanese Patent Application Publication No. 5-208020, dated August 20, 1993;
10. U.S. Patent No. 5,392,917, dated February 28, 1995, issued to Alpern et al.; and
11. U.S. Patent No. 5,893,878, dated April 13, 1999, issued to Pierce.

The references were cited in a Search Report received from the German Patent Office dated June 12, 2002. Applicants are submitting copies of the above-cited references, together with a copy of the Search Report and its English translation. The relevance of the above-identified references has been described in the Search Report.

Applicants are also submitting herewith a Statement Pursuant to 37 C.F.R. § 1.704(d). No fee is required.

Respectfully submitted,



Thomas Spinelli  
Registration No.: 39,533

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Garden City, New York 11530  
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TS:cm



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**STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)** TECHNOLOGY CENTER R3700

Sir:

I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

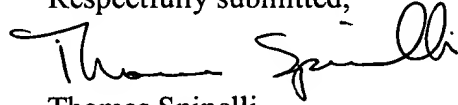
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Dated: August 14, 2002

  
Michelle Mustafa

Therefore, the Information Disclosure Statement submitted herewith cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas Spinelli", written in a cursive style.

Thomas Spinelli

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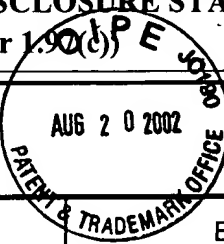
<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. 14991	
In Re Application Of: Koh Kimura, et al.				
Serial No. 09/975,490	Filing Date October 11, 2001	Examiner Unassigned	Group Art Unit 3739	
Title: <b>PHYSIOLOGICAL TISSUE CLIPPING APPARATUS, CLIPPING METHOD AND CLIP UNIT MOUNTING METHOD</b>				
<div style="text-align: right;"><b>RECEIVED</b></div>				
<div style="text-align: center;">Address to: Assistant Commissioner for Patents Washington, D.C. 20231</div> <div style="text-align: right;">AUG 23 2002 TECHNOLOGY CENTER R3700</div>				
<div style="text-align: center;"><b>37 CFR 1.97(b)</b></div> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <div style="text-align: center;"><b>37 CFR 1.97(c)</b></div> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center;"><b>OR</b></p> <p style="margin-left: 40px;"><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>				

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.90(c))

Docket No.  
14991

In Re Application: Koh Kimura, et al.

AUG 20 2002



Serial No.

09/975,490

Filing Date

October 11, 2001

Examiner

Unassigned

Group Art Unit

3739

**PHYSIOLOGICAL TISSUE CLIPPING APPARATUS, CLIPPING METHOD AND CLIP UNIT**

**METHOD**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(d)).

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TECHNOLOGY CENTER R3700

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below. A duplicate copy of this sheet is enclosed.
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Signature of Person Mailing Correspondence

Mishelle Mustafa

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

Signature

Dated: August 14, 2002

Thomas Spinelli

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